

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) 4:05CR3060
v.)
)
OCTAVIO DELVILLAR and)
FERNANDO NUNEZ,) ORDER
)
Defendants.)
)

IT IS ORDERED:

1. The motion of counsel for defendant Delvillar to withdraw, filing 24, is granted, effective upon the filing of a certificate of service or affidavit indicating that defendant Delvillar has been served with a copy of this order.
2. Defendant Delvillar is given 10 days from the date of this order in which to either: (1) obtain the services of substitute counsel and have that attorney file an appearance in his behalf or, (2) file a financial affidavit setting forth his present financial status, requesting the appointment of counsel.
3. Trial as to both defendants is continued until further order.
4. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendants in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between July 7, 2005 and thirty (30) days following the entry of appearance of new counsel shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that defendant Delvillar does not have an attorney. 18 U.S.C. § 3161(h)(8)(A) & (B).
5. The clerk shall mail a copy of this order to defendant Delvillar at his last known address.

DATED this 11th day of July, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge